

From: Weathers, Norman R.
To: Microsoft ATR
Date: 1/25/02 4:00pm
Subject: Microsoft Settlement

To whom it may concern:

I am writing in reference to the recent settlement talks between the US DOJ and Microsoft. I am saying on record that I strongly oppose the actions that are currently being taken by the DOJ against Microsoft because they are too lenient. My reasoning for this is as follows:

1) Microsoft has been found guilty of harboring an illegal monopoly. They have been found guilty of destructive business practices, and because of this, they need to have a penalty that once again levels the playing field between the software producers. Opening up some API's to some companies does not allow for competition within the market, especially when a viable alternative to Microsoft is completely overlooked in the settlement, any Open Source Project. For example, a competitor to Microsoft's own network drive capabilities is the SAMBA project, yet, under the current settlement, no API's can or ever will be made available to them. This must be remedied.

2) Microsoft has leveraged parts of its foundations to further its monopolies. For instance, Windows is Microsoft's OS, and through its OS, leveraged its own Office Suite to a monopoly of the desktop publishing/word processing/ information market. Now, many individuals would love to be able to interchange information and data with other individuals who may or may not use a Microsoft Office component, but the sad truth is that the format has never been documented, and has changed with each release of the Office Suite. For example, during a recent job search, I was required to send my resume in Word 98 format. Not just Word, but specifically Word 98. I was fortunate to have a copy of Office 98 installed, but, why couldn't I have used an open format such as RTF, HTML, PDF, XML, etc, etc.... This is because the Office format is the central strangle hold that has held competition out of the market. Open the document formats to the public, and watch competition

surge, and with it, better applications.

3) Microsoft has further entrenched itself into other areas, and will soon become a monopoly due to its strong tactics and user base. For instance, Internet Explorer and Microsoft Network. Microsoft has for all intents and purposes "won the browser wars", or so it thought. They have created several enhancements to the original HTML code (as well as Netscape and some others), but now, due to the fact that Microsoft has a larger user base, they can now dictate "standards" that become very Microsoft centric. This can lead to web sites that don't just say "Best when viewed by MSIE", but web sites that say "Can ONLY be viewed by MSIE". This effectively can shut out a large group, such as Linux, BSD, Apple, Sun, that do not have easy access to IE (I know there are ports available for some of these OS's, but they tend to be troublesome, unstable, and useless). Now, you can dictate another standard that effectively kills off any competing product because you create the standard. This can be disastrous.

4) Microsoft continues to further move into markets that are no longer vertical. For instance, the new game console, the XBox. This is now an attempt to move into home game consoles, gaming networks, online gaming, and possibly 2 or 3 other markets. Now, if they move in and follow all the rules and procedures, than they can compete with Sony and Netscape, and create a thriving market. However, if Microsoft handles this market as they have others, by settling easy during this time, do we allow them to legally maneuver into this new market and take it over as well?

I am beseeching any and all to please, read this, look back at Microsoft's history, its doings and non doings. Look at the litigations and court cases that have happened, that are pending, and that should have happened. By now, we have broken apart AT&T, and Standard Oil. While breakup may not be the answer (but then again, it may be), neither is this slap on the wrist that is basically allowing Microsoft to continue its practices. Remember, not only are they continuing them, but now, with the way we have settled with them, we are getting ready to say, "It's OK, Microsoft. Go ahead and be a monopoly. You are doing nothing wrong."

Let's not send that signal to this convicted illegal monopoly. Let's not take the short road to justice, and thereby ignore justice. Let's not end it for "the country's sake". Let's do the right thing and finally penalize Microsoft for doing what it has done for a long time, breaking the law. Further open API's including document formats and interfaces, open up parts/all of the OS source code, allow other non-profit organizations to be included within the scope of the judgement and ruling, and above all, let's do something to once again promote competition within the world of software development so that we can have a lower cost of software, higher quality, and a higher standard of living through that better software.

Thank you for your time in this matter.

Norman Weathers
System Administrator
Ponca City, OK
74604